

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

March 11, 2004      LB 826, 1149

of LB 1149 to E & R Initial. Have you all voted who care to? Record please, Mr. Clerk.

ASSISTANT CLERK: 25 ayes, 0 nays on the motion to advance.

SENATOR CUDABACK: LB 1149 does advance. Mr. Clerk, LB 826, when you get time.

ASSISTANT CLERK: LB 826 was offered by Senator Erdman. (Read title.) The bill was read for the first time January 7, referred to Natural Resources. That committee reports the bill to General File with committee amendments. (AM2606, Legislative Journal page 615.)

SENATOR CUDABACK: Senator Erdman, to open.

SENATOR ERDMAN: Thank you, Senator Cudaback, members of the Legislature. I rise to present LB 826. I want to thank the Natural Resources Committee for their support, as well as the committee staff in working out the final details of the amendment. LB 826 is the product of many meetings that my office has had over the past few months out of concern from residents in Garden County over the validity of their game refuge. About 1920 the residents of Garden County petitioned the state for a game refuge. That language was then put in statute. That is the language we are dealing with today. There have been a few modifications to the existing law but, essentially, what's in law now was the intent of the individuals in Garden County. There have been recent questions brought up about the constitutionality, of the language being vague, and so we are here today to try and clarify that to ensure that the residents of Garden County would have a refuge and would be able to take advantage of the opportunity that that would provide them both an area of hunting as well as the opportunity that provides for tourism and economic development for their area. The cases dealing with the refuge and enforcement have been deemed ambiguous or vague and it defines the def...or LB 826 adds a definition based on some previous Attorney General's Opinions. The committee amendment will also move to change...will also change some of that additional language. However, the end result of LB 826 will give the authority to the